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7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

9 JAMIE I. KOSTIUK,

10 Case No. 3:20-cv-00023-MMD-WGC

11 Plaintiff,

12 v.  
13 SMART SALES AND LEASE, INC.,

14 Defendant.

**STIPULATION AND ORDER TO  
EXTEND DEADLINE FOR  
DEFENDANT TO RESPOND TO  
PLAINTIFF'S COMPLAINT**

**(First Request)**

15 Pursuant to Fed. R. Civ. P. 6(b)(1)(A), LR 7-1, LR IA 6-1, and LR IA 6-2, Plaintiff Jamie  
16 I. Kostiuk (“Plaintiff”) and Defendant Smart Sales and Lease, Inc. (“Defendant”), by and through  
17 undersigned counsel, respectfully stipulate and agree and jointly move the Court for an Order  
18 extending the deadline for Defendant to respond to Plaintiff’s Complaint (ECF No. 1, “Complaint”)  
19 in this matter, to and including March 8, 2020. In support thereof, Plaintiff and Defendant further  
20 state and agree as follows:

21 1. Plaintiff filed her Complaint in this matter on January 15, 2020.  
22 2. Defendant was served with process on January 17, 2020. By operation of Fed. R.  
23 Civ. P. 12(a)(1)(A)(i), therefore, the Defendant’s response to the Complaint is presently due on  
24 February 7, 2020.

25 3. Counsel for the parties met and conferred on January 30, 2020, via email, regarding  
26 extending the foregoing deadline. Plaintiff agreed to grant Defendant an extension of not less than  
27 thirty (30) days. By operation of Fed. R. Civ. P. 6(a)(1) & (5), therefore, Defendant’s new deadline  
28 to file its response to the Complaint, if approved by the Court, would be on March 8, 2020.

1       4. The purpose of the requested extension is to allow Defendant's counsel, who were  
2 just recently retained, adequate time to fully investigate the allegations set forth in the Complaint  
3 and to permit the parties to explore a possible extra-judicial resolution of their differences in this  
4 matter, which may obviate the Defendant's response deadline.

5       5. This is the parties' first request for an extension of this deadline. It is not made for  
6 purposes of delay, and would not prejudice any party.

7       6. By this requested extension, Defendant is not waiving any objections or defenses to  
8 the Complaint available under applicable law, and the parties have agreed to be bound by its terms  
9 pending the Court's approval and entry of same.

10      WHEREFORE, for all of the reasons above, the parties stipulate and respectfully request  
11 that the Court enter this order extending the Defendant's deadline to respond to the Complaint by  
12 a period of no less than thirty (30) days, to and including March 8, 2020, along with granting all  
13 other relief the Court deems just and proper.

14 Dated: February 7, 2020

Dated: February 7, 2020

15 CLOSE LAW GROUP

WAJDA LAW GROUP, APC

16 By: /s/ Jason A. Close

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By: /s/ Nicholas M. Wajda (w/ Permission)

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19 IT IS SO ORDERED:

21 William G. Cobb

22 UNITED STATES MAGISTRATE JUDGE

23 DATED: February 10, 2020.